

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

EDWARD HALVERSON,
 #1030045

Plaintiff,

vs.

HOWARD SKOLNIK, *et al.*,

Defendants.

2:10-cv-01132-PMP-LRL

ORDER

On August 2, 2010, the court issued an order (docket #8) consolidating this civil rights action with three other actions that raised nearly identical allegations: that the inmate-plaintiffs are insulin-dependent diabetics and that on or about the end of June 2010, Southern Desert Correctional Center (“SDCC”) medical personnel issued them a different type of insulin syringes that were not single-use syringes. (*Frixione v. Skolnik, et al.*, 2:10-cv-01235-PMP-RJJ (docket #1); *Jones v. Skolnik, et al.*, 2:10-cv-01214-RLH-LRL (docket #1); *Rea v. Skolnik, et al.*, 2:10-cv-01217-PMP-PAL (docket #1)). Plaintiffs in the latter three cases additionally allege that when inmate Halverson questioned staff about the expiration date of the syringes, the staff collected and removed or concealed the remaining syringes. Halverson helped the plaintiff in these three cases prepare their complaints, and all three

1 complaints name the same defendants, allege the same facts and constitutional violations and seek
 2 similar injunctive relief.¹ Two other actions have subsequently been consolidated with the above matters
 3 on the same bases (*Powell v. Skolnik, et al.*, 2:10-cv-01182-PMP-LRL; *Charbonnet v. Skolnik, et al.*,
 4 2:10-cv-01273-PMP-LRL).

5 On July 14, 2010, another SDCC inmate filed a seventh action that again sets forth nearly
 6 identical allegations as those described above (*Valenzuela v. Skolnik, et al.*, 2:10-cv-01162-PMP-RJJ
 7 (docket #1)). Halverson also assisted Valenzuela in preparing his complaint.

8 Under Rule 42 of the Federal Rules of Civil Procedure, the court may consolidate actions
 9 when they “involve a common question of law or fact.” FRCP 42(a)(2). Such consolidation promotes
 10 judicial efficiency and avoids potentially conflicting results. *See generally*, FRCP 42. The instant action
 11 and the other actions discussed herein involve nearly identical allegations and thus clearly involve
 12 common questions of law or fact. Accordingly, the instant case is consolidated with the six other actions
 13 discussed herein that have previously been consolidated.

14 **IT IS THEREFORE ORDERED** that the following action shall be consolidated
 15 pursuant to FRCP 42:

16 VALENZUELA V. SKOLNIK, ET AL., 2:10-cv-01162-PMP-RJJ
 17 with the cases that were previously consolidated, the lead case being
 18 HALVERSON V. SKOLNIK, ET AL, 2:10-cv-01132-PMP-LRL.

19 **IT IS FURTHER ORDERED** the following action:

20 VALENZUELA V. SKOLNIK, ET AL., 2:10-cv-01162-PMP-RJJ

21 is hereby re-assigned to United States District Judge Philip M. Pro and United States Magistrate Judge
 22 Lawrence R. Leavitt.

23 **IT IS FURTHER ORDERED** that the Clerk of Court **shall file** a copy of this order in
 24 each of these actions:

25
 26 ¹The complaints in all consolidated actions will be screened pursuant to 28 U.S.C. § 1915(e)(2)
 after the receipt and resolution of applications to proceed *in forma pauperis*.

1 VALENZUELA V. SKOLNIK, ET AL., 2:10-cv-01162-PMP-RJJ;
2 CHARBONNET V. SKOLNIK, ET AL., 2:10-cv-01273-GMN-RJJ;
3 POWELL V. SKOLNIK, ET AL., 2:10-cv-01182-JCM-PAL;
4 FRIXIONE V. SKOLNIK, ET AL., 2:10-cv-01235-PMP-RJJ;
5 JONES V. SKOLNIK, ET AL., 2:10-cv-01214-RLH-LRL;
6 REA V. SKOLNIK, ET AL., 2:10-cv-01217-PMP-PAL

7 **IT IS FURTHER ORDERED** that the Clerk of Court **shall modify** the docket of each
8 of these actions:

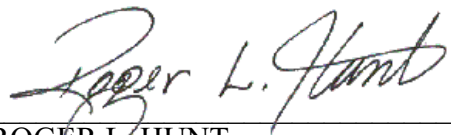
9 HALVERSON V. SKOLNIK, ET AL., 2:10-cv-01132-PMP-LRL;
10 VALENZUELA V. SKOLNIK, ET AL., 2:10-cv-01162-PMP-RJJ;
11 CHARBONNET V. SKOLNIK, ET AL., 2:10-cv-01273-GMN-RJJ;
12 POWELL V. SKOLNIK, ET AL., 2:10-cv-01182-JCM-PAL;
13 FRIXIONE V. SKOLNIK, ET AL., 2:10-cv-01235-PMP-RJJ;
14 JONES V. SKOLNIK, ET AL., 2:10-cv-01214-RLH-LRL;
15 REA V. SKOLNIK, ET AL., 2:10-cv-01217-PMP-PAL

16 to reflect that these seven matters have been consolidated and that the lead action is:

17 HALVERSON V. SKOLNIK, ET AL., 2:10-cv-01132-PMP-LRL.

18 **IT IS FURTHER ORDERED** that each of the actions shall proceed in its own right.
19
20

21 DATED this 8th day of October, 2010.
22
23

24 
25 ROGER L. HUNT
26 Chief United States District Judge